

ATTACHMENT 2

)	
UNITED STATES OF AMERICA,)	
)	Case No.: 1:03CV2486
<i>Plaintiff,</i>)	
)	
v.)	JUDGE: Gladys Kessler
)	
DNH INTERNATIONAL SARL,)	
DYNO NOBEL, INC.,)	DECK TYPE: ANTITRUST
EL PASO CORP., and)	
COASTAL CHEM, INC.,)	
)	DATE STAMP: May 6, 2004
<i>Defendants.</i>)	
)	

The United States hereby certifies that it has complied with provisions of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h) (“APPA”), and states:

1. The Complaint, proposed Final Judgment, and Hold Separate Stipulation and Order were filed with this Court on December 2, 2003. The Competitive Impact Statement was filed with this Court on January 21, 2004.

2. Pursuant to 15 U.S.C. § 16(b), the proposed Final Judgment and Competitive Impact Statement were published in the Federal Register on February 17, 2004 (69 Fed. Reg. 7497). A copy of the Federal Register notice is attached as Exhibit A.

3. Pursuant to 15 U.S.C. § 16(c), a summary of the terms of the proposed Final Judgment and Competitive Impact Statement were published on seven (7) consecutive days

running from February 12, 2004, through February 18, 2004, in The Washington Post, a newspaper of general circulation in the District of Columbia. A copy of the certificate of publication from The Washington Post is attached as Exhibit B.

4. The 60-day comment period specified in 15 U.S.C. § 16(b) commenced on February 18, 2004, and terminated on April 18, 2004.

5. During the 60-day comment period the United States received no comments from members of the public concerning the proposed Final Judgment.

6. Pursuant to 15 U.S.C. § 16(b), the United States furnished copies of the proposed Final Judgment and Competitive Impact Statement to anyone requesting them.

7. On January 27, 2004, and February 3, 2004, the defendants complied with the requirement of 15 U.S.C. § 16(g) when they filed with the Court a statement indicating that they had not had any communications concerning the proposed Final Judgment that were reportable under 15 U.S.C. §16(g).

8. With these steps having been taken, the parties have satisfied their obligations under the APPA. Pursuant to the Hold Separate Stipulation and Order filed on December 2, 2003, and 15 U.S.C. § 16(e), the Court may now enter the Final Judgment without further hearings if it determines that entry of the Final Judgment is in the public interest.

9. For the reasons set forth in the Competitive Impact Statement and Plaintiff's Motion for Entry of Final Judgment, the United States believes that the proposed Final Judgment satisfies the public interest standard of 15 U.S.C. § 16(e). The United States therefore requests that this Court enter the Final Judgment without further hearings.

Dated: May 6, 2004

Respectfully submitted,

_____/s/_____
Joshua P. Jones
GA Bar No. 091645
Antitrust Division
U.S. Department of Justice
1401 H Street, NW, Suite 3000
Washington, DC 20530
(202) 307-1031